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*Francine E. Smith*  
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JC978 U.S. PTO  
09/836705  
04/17/01

**FILING WITHOUT EXECUTED DECLARATION - 37 CFR 1.53(f)**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Attorney Docket No. 01149/HG

Pursuant to 37 CFR 1.53(b), transmitted herewith for filing is the patent application of

**Inventor(s):**

Yuki ABE  
Chiho ONO  
Hiroji YOSHIKAWA

**Title:**

"GENES FROM A GENE CLUSTER"

Priority Claim (35 U.S.C. 119) is made, based upon:

Japanese Patent Application No. 2000-116591 filed April 18, 2000; and  
Japanese Patent Application No. 2000-117458 filed April 19, 2000

Enclosed herewith are:

- [X] Specification (Description, Claims, Abstract, Sequence Listing): Pages 1 - 186; Number of claims 1 - 53  
[X] **TO BE POST-FILED: SIGNED DECLARATION**  
[X] 5 Sheets of drawings, Figures 1 - 6 [X] Formal [ ] Informal

**ASSIGNMENT INFORMATION FOR PUBLICATION:**

SANKYO COMPANY, LIMITED  
5-1, Nihonbashi Honcho 3-chome  
Chuo-ku, Tokyo 103-8426, Japan

- [X] Preliminary Amendment - **TO CORRECT IMPROPER MULTIPLE DEPENDENT CLAIMS**  
[X] **COMPUTER READABLE FORM OF SEQUENCE LISTING TO BE POST-FILED**  
[X] Receipt Postcard

	Number Filed		Number Extra	Rate		Calculations
Total Claims	<u>72</u> - 20 =		<u>52</u>	x \$18.00 =		\$ <u>936.00</u>
Independent Claims	<u>5</u> - 3 =		<u>2</u>	x \$80.00 =		\$ <u>160.00</u>
MULTIPLE DEPENDENT CLAIMS				+ \$270.00 =		\$ <u>270.00</u>
				BASIC FEE		\$ <u>710.00</u>
				Total of above Calculations		\$ <u>2,076.00</u>

To the extent not tendered by check, authorization is given to charge any fees under 37 CFR 1.16 and 1.17 during pendency of the application, or to credit any overpayment, to Deposit Account No. 06-1378. Duplicate copy of this letter is enclosed.

FRISHAUF, HOLTZ, GOODMAN, LANGER & CHICK, P.C.

By: *Herbert Goodman*

HERBERT GOODMAN - Reg. No. 17,081

HG/fs  
Encs.